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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92064514
Party	Plaintiff Mary P Flynn
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Date	04/14/2017
Attachments	AMENDED PETITION FOR CANCELLATION.pdf(2637392 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 5020556 (MAKE AMERICA GREAT AGAIN)

Registered August 16, 2016

Mary P Flynn

Petitioner,

v.

Donald J. Trump for President, Inc.

Respondent.

Cancellation No. 92064514

AMENDED PETITION FOR CANCELLATION

COMES NOW, PETITIONER, MARY P FLYNN, who moves the Board to consider this Amended Petition for Cancellation.

Petitioner would like to remind the Board that, to date, Respondent has not provided proof of service via Federal Express Overnight of their Motion to Dismiss dated November 18, 2016, and Trademark Rules 2.119(a) and (b) require that every paper filed in the USPTO in a proceeding before the Board must be served upon the attorney for the other party, or on the party if there is no attorney. ***Proof of service must be made before the paper will be considered by the Board.***

Accordingly, as Respondent has not provided proof of service via Federal Express Overnight to either Petitioner or the Board, and the Board failed to address this issue in their March 24, 2017 Order, Petitioner reiterates her request that the Board not consider Respondent's Motion to Dismiss, as it was not introduced in evidence in accordance with the applicable Trademark Rules of Practice.

Notwithstanding, Petitioner presents an Amended Petition for Cancellation.

1. Standing

Pursuant to 15 USCS § 1064, a petition to cancel a registration of a mark, stating the grounds relied upon, can upon payment of the prescribed fee, be filed by any person who believes that the person is or will be damaged, including as a result of dilution by the registration of a mark on the principal register. 37 CFR 2.111 provides that any person who believes that the person will be damaged by a registration can file a petition, addressed to the Trademark Trial and Appeal Board, for cancellation of the registration in whole or in part.

1. Petitioner is a living human being.
2. Petitioner resides on a planet in the Universe (geographically referred to as “EARTH” or “WORLD” or “GLOBE”) where the United States (geographically referred to as “AMERICA” in the mark at issue) is located.
3. Petitioner resides in the United States (geographically referred to as “AMERICA” in the mark at issue).
4. Petitioner is a United States (geographically referred to as “AMERICA” in the mark at issue) citizen.
5. Petitioner is a tax-paying United States (geographically referred to as “AMERICA” in the mark at issue) citizen.
6. Petitioner is a registered voter in the United States (geographically referred to as “AMERICA” in the mark at issue).
7. Petitioner is aware that when the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution was authored and the United States government was formed, the “*Founding Fathers*” did not incorporate specific language to provide equal human or civil rights to any living human being other than to those of the same religion,

race, and sex as the *Founding Fathers*.

8. Petitioner is aware that there are 27 Amendments to the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution.
9. Petitioner is aware that the first 10 Amendments to the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution are known as the Bill of Rights.
10. Petitioner is aware that the Bill of Rights did not address the rights of people of a different race or sex than those of the *Founding Fathers*.
11. Petitioner is aware that Amendment 1 of the Bill of Rights of the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution provides people with the right to freedom of religion, speech, and the press, and to peaceably assemble and to petition the government for a redress of grievances.
12. Petitioner is aware that Amendment 13 of the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution finally outlawed slavery in 1865.
13. Petitioner is aware that **Amendment 19** of the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution finally *gave women* the right to vote in 1920.
14. Petitioner is a **female**.
15. Petitioner is aware that the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution ranks **her** rights as a human being **last** among the rights afforded to other human beings in the United States (geographically referred to as “AMERICA” in the mark at issue).
16. Petitioner is aware that the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution ranks the right to bear arms (“guns, rifles, firearms, automatic weapons, etc.”) before a **women’s** right to vote (Amendment 2 v. **Amendment 19**).

17. Petitioner is aware that The Brady Campaign has stated, *“Every day, 93 **Americans** will die from gun violence. No tweet will stop that. Only smart policy can. Tomorrow Donald Trump will be handed a great responsibility to protect the **American** people and honor their will as he leads this nation. He would do well to remember that 93 percent of voters - including most of the people who voted for him -- support policies like expanded Brady background checks that keep guns out of dangerous hands. We hope and expect that the incoming president will take gun violence, and its solutions, seriously. The country will join us in holding him accountable if he doesn't.”*

18. Petitioner is aware that Brady Campaign activists joined hundreds of thousands of **Americans** at the **Women's** March on Washington to demand gun safety reforms that keep guns out of the hands of felons, **domestic abusers**, and other dangerous people.

19. Petitioner is aware that the Mission of the **Women's** March is *“The rhetoric of the past election cycle has insulted, demonized, and threatened many of us - immigrants of all statuses, Muslims and those of diverse religious faiths, people who identify as LGBTQIA, Native people, Black and Brown people, people with disabilities, survivors of sexual assault - and our communities are hurting and scared. We are confronted with the question of how to move forward in the face of national and international concern and fear. In the spirit of democracy and honoring the champions of human rights, dignity, and justice who have come before us, we join in diversity to show our presence in numbers too great to ignore. The Women's March on Washington will send a bold message to our new government on their first day in office, and to the world that **women's rights are human rights**. We stand together, recognizing that defending the most marginalized among us is defending all of us. We support the advocacy and resistance movements that reflect our multiple and intersecting identities. We call on all defenders of human rights to join us. This march is the first step towards unifying our communities, grounded in new relationships, to create*

*change from the grassroots level up. We will not rest until women have parity and equity at all levels of leadership in society. We work **peacefully** while recognizing there is no true peace without justice and equity for all.”*

20. Petitioner is aware that the Guiding Principles of the **Women’s** March state, “**Women’s** rights are human rights, regardless of a **woman’s** race, ethnicity, religion, immigration status, sexual identity, gender expression, economic status, age or disability. We practice empathy with the intent to learn about the intersecting identities of each other. We will suspend our first judgement and do our best to lead without ego. We follow the principles of Kingian **nonviolence**...”
21. Petitioner’s former husband pointed a gun at **her** head and threatened to kill **her** if **she** divorced him.
22. Petitioner is aware that during the campaign, former Illinois Representative Joe Walsh tweeted, “On November 8th, I’m voting for Trump. On November 9th, if Trump loses, I’m grabbing my musket. You in?”
23. Petitioner resides in Illinois.
24. Petitioner is aware that after polls showed Donald Trump would win the election for President of the United States (geographically referred to as “AMERICA” in the mark at issue) if only white men voted, the hashtag **#repealthe19th** started trending on Twitter, Mr. Trump’s preferred social media platform.
25. Petitioner is aware that the **#repealthe19th** hashtag is a reference to a threat to repeal the 19th Amendment of the Constitution of the United States (geographically referred to as “AMERICA” in the mark at issue), which *gave* women the right to vote in 1920.
26. Petitioner is aware that tweets utilizing the **#repealthe19th** hashtag also contained the **#MAGA** hashtag, which is the acronym for the mark at issue.
27. Petitioner is aware that a majority of the tweets contained language and images, which

threatened, degraded, disparaged, and sexualized women, and which made it clear that women are considered inferior *objects*.

28. Petitioner is aware that the implied meaning of the mark at issue for some Trump supporters is that AMERICA was GREAT when women did not have the right to vote.
29. Petitioner is aware that the federal government of the United States (geographically referred to as “AMERICA” in the mark at issue) was founded, formed and governed exclusively by men until 1916.
30. Petitioner is aware that there was no **female** representation in the federal government of the United States (geographically referred to as “AMERICA” in the mark at issue) until 1916 when Jeannette Rankin became the first **woman** elected to Congress even though **women** were not afforded the right to vote until 1920.
31. Petitioner is aware that the first **woman** was appointed to the United States (geographically referred to as “AMERICA” in the mark at issue) Supreme Court in 1981.
32. Petitioner is aware that President Ronald Reagan, the 40th President of the United States (geographically referred to as “AMERICA” in the mark at issue), appointed the first **woman**, Sandra Day O’Connor, to the United States (geographically referred to as “AMERICA” in the mark at issue) Supreme Court.
33. Petitioner used **her** first opportunity to exercise **her** right as a citizen of the United States (geographically referred to as “AMERICA” in the mark at issue) to vote in 1980.
34. Petitioner voted for Ronald Reagan in 1980.
35. Petitioner has voted for the winning Presidential candidate of the United States (geographically referred to as “AMERICA” in the mark at issue) until 2016.
36. Petitioner is aware that Ronald Reagan used the mark at issue for goods and services in connection with his 1980 campaign.
37. Petitioner is aware that Ronald Reagan did not attempt to obtain federal trademark

protection at the United States (geographically referred to as “AMERICA” in the mark at issue) Patent and Trademark Office for the mark at issue.

38. Petitioner is aware that other United States (geographically referred to as “AMERICA” in the mark at issue) Presidential candidates have used the mark at issue.

39. Petitioner is aware that the mark at issue has been in the public domain since 1980.

40. Petitioner is aware that trademarks act as competitive tools, excluding everyone but their owner or those licensed by the owner (licensee) from the use of that mark or name, or marks similar to it.

41. Petitioner is aware that no other United States (geographically referred to as “AMERICA” in the mark at issue) Presidential candidate has attempted to seek United States (geographically referred to as “AMERICA” in the mark at issue) trademark protection for a mark, which was in the public domain.

42. Petitioner is aware that no other United States (geographically referred to as “AMERICA” in the mark at issue) Presidential candidate has sought United States (geographically referred to as “AMERICA” in the mark at issue) trademark protection for a mark, which incorporated a geographically descriptive term such as “AMERICA”.

43. Petitioner is aware that 2012 United States (geographically referred to as “AMERICA” in the mark at issue) Presidential candidate, Mitt Romney did not seek trademark protection for “BELIEVE IN AMERICA” even though the mark was used as both a campaign slogan and mark for campaign products.

44. Petitioner is aware that interstate commerce is regulated by the federal government of the United States (geographically referred to as “AMERICA” in the mark at issue) as authorized under Article I of the United States (geographically referred to as “AMERICA” in the mark at issue) Constitution.

45. Petitioner is aware that interstate commerce refers to the purchase, sale or exchange of

commodities, transportation of people, money or goods, and navigation of waters between different states of the United States (geographically referred to as “AMERICA” in the mark at issue).

46. Petitioner is aware that in order to obtain a federal trademark registration from the United States (geographically referred to as “AMERICA” in the mark at issue) Patent and Trademark Office, the mark must be used on or in connection with the goods/services in interstate commerce in the United States (geographically referred to as “AMERICA” in the mark at issue).
47. Petitioner is aware that the United States (geographically referred to as “AMERICA” in the mark at issue) Secretary of Commerce Wilbur Ross wore \$600 *slippers* with a customized “UNITED STATES OF AMERICA DEPARTMENT OF COMMERCE” logo to President Trump's first Congressional address.
48. Petitioner is aware that the application for the mark at issue was filed by Donald J. Trump, an individual, a United States (geographically referred to as “AMERICA” in the mark at issue) citizen.
49. Petitioner is aware that Mr. Trump did not include a disclaimer for “AMERICA” when he filed an application for the mark at issue.
50. Petitioner is aware that the United States (geographically referred to as “AMERICA” in the mark at issue) Patent and Trademark Office did not require Mr. Trump to disclaim “AMERICA” in the mark at issue.
51. Petitioner is aware that Mr. Trump has vigorously policed use of “TRUMP” trademarks not only in the United States (geographically referred to as “AMERICA” in the mark at issue), but also around the “WORLD” or “GLOBE”.
52. Petitioner is aware that in order to obtain a federal United States (geographically referred to as “AMERICA” in the mark at issue) trademark registration that identifies a living

individual in the United States (geographically referred to as “AMERICA” in the mark at issue), a living individual’s consent must be of record, *see* any “TRUMP”

application/registration, which has been filed/issued/registered/recorded in the name of

Donald J. Trump, an individual, a United States (geographically referred to as “AMERICA”

in the mark at issue) citizen with the United States (geographically referred to as

“AMERICA” in the mark at issue) Patent and Trademark Office, *“The name “Trump”*

identifies a living individual whose consent is of record.”

53. Petitioner is aware that Donald J. Trump has a litigious history not only with the United

States (geographically referred to as “AMERICA” in the mark at issue) Patent and

Trademark Office, but also with Intellectual Property offices geographically located around the “WORLD” or “GLOBE”.

54. Petitioner is aware that Donald J. Trump, an individual, a United States (geographically

referred to as “AMERICA” in the mark at issue) citizen, ***personally owned*** 114 United

States (geographically referred to as “AMERICA” in the mark at issue) trademark

applications/registrations (referred to as “properties”) until **January 25, 2016**, including

four (4) trademark applications/registrations for the mark at issue (“MAKE **AMERICA** GREAT AGAIN”).

55. Petitioner is aware that Donald J. Trump, an individual, a United States (geographically

referred to as “AMERICA” in the mark at issue) citizen, made a speech at “TRUMP

TOWER” (United States Trademark Registration No. 1688083) located at 725 “FIFTH

AVENUE” (United States Trademark Registration No. 1753407), New York, NY 10022,

United States (geographically referred to as “AMERICA” in the mark at issue) in which

Mr. Trump officially declared his candidacy for President of the United States

(geographically referred to as “AMERICA” in the mark at issue) on June 16, 2015.

56. Petitioner is aware that the “FIFTH AVENUE” trademark registration was issued by the

United States (geographically referred to as “AMERICA” in the mark at issue) Patent and Trademark Office on February 16, 1993 for casino services to **Trump** Plaza Associates composed of **Trump** Boardwalk Realty Corp., a New Jersey corporation, and Donald **Trump**, a U.S. citizen, PARTNERSHIP NEW JERSEY, The Boardwalk at Mississippi Avenue, Atlantic City, NEW JERSEY 08401.

57. Petitioner is aware that the Assignment Abstract of Title Information shows twelve (12) Assignments recorded against the “FIFTH AVENUE” trademark registration at the United States (geographically referred to as “AMERICA” in the mark at issue) Patent and Trademark Office.
58. Petitioner is aware that eleven (11) of the twelve (12) Assignments recorded against the “FIFTH AVENUE” trademark registration were to either record or release Security Interests held by the following legal entities: FIRST BANK NATIONAL ASSOCIATION, a U.S. BANKING ASSOCIATION (April 17, 1996); BEAL BANK, S.S.B., a Texas STATE SAVINGS BANK (three separate Security Interests were executed on November 22, 2004, December 21, 2007, and July 16, 2010); MORGAN STANLEY & CO. INCORPORATED, a Delaware Corporation (May 20, 2005); and **ICAHN** AGENCY SERVICES, LLC, a Delaware Limited Liability Company (three separate Security Interests were executed on April 04, 2012, February 05, 2015, and February 26, 2016).
59. Petitioner is aware that not only the “FIFTH AVENUE” trademark registration, but also the “CENTRAL PARK” and “TAJ MAHAL” trademark registrations were used as collateral for an Intellectual Property Security Agreement dated February 26, 2016 in favor of Icahn Agency Services, LLC in connection with the Chapter 11 Bankruptcy, Credit Agreement and Plan of Reorganization of the Taj Mahal Casino that was bought by Mr. Trump’s friend, billionaire Carl Icahn.
60. Petitioner is aware that, to date, Mr. Trump has not been able to prove he is a billionaire.

61. Petitioner is aware that Mr. Trump was not able to prove he was a billionaire in a court of law after he sued the author of a book for libel when the author referred to him as a millionaire.
62. Petitioner is aware that Mr. Trump has stated, *“I’m going to open up our libel laws so when they write purposely negative and horrible and false articles, we can sue them and win lots of money. We’re going to open up those libel laws. So when The New York Times writes a hit piece which is a total disgrace or when The Washington Post, which is there for other reasons, writes a hit piece, we can sue them and win money instead of having no chance of winning because they’re totally protected.”*
63. Petitioner is aware that Mr. Trump offered his friend, billionaire Carl Icahn, the position of Secretary of the Treasury of the United States (geographically referred to as “AMERICA” in the mark at issue) during the 2016 Presidential campaign.
64. Petitioner is aware that during the 2016 Presidential campaign, Mr. Icahn failed to reach a new contract with union employees so he closed the TAJ MAHAL in October 2016, the month before the Presidential election, which resulted in 3,000 job losses for the United States (geographically referred to as “AMERICA” in the mark at issue).
65. Petitioner is aware that Mr. Icahn holds an ownership interest in an original equipment manufacturer, which employs union employees, and where Petitioner was employed and is entitled to a pension.
66. Petitioner is aware that Mr. Icahn turned down the Secretary of the Treasury of the United States (geographically referred to as “AMERICA” in the mark at issue) position offered to him by Donald Trump during the Presidential campaign during which time Mr. Icahn bought and closed the TRUMP TAJ MAHAL, and acquired the valuable United States trademark registrations for “TAJ MAHAL”, “FIFTH AVENUE” and “CENTRAL PARK”.
67. Petitioner is aware Mr. Icahn accepted a “special advisor” to the President position.

68. Petitioner is aware that Mr. Icahn is the majority owner of CVR Energy, a Texas oil refiner.
69. Petitioner is aware that since Mr. Trump was elected President of the United States (geographically referred to as “AMERICA” in the mark at issue), CVR’s stock price is up about 50 percent.
70. Petitioner is aware of Mr. Trump’s success in obtaining federal United States (geographically referred to as “AMERICA” in the mark at issue) trademark registrations for geographically descriptive locations not only in the United States (geographically referred to as “AMERICA” in the mark at issue) such as “FIFTH AVENUE” and “CENTRAL PARK”, but also around the “WORLD” or “GLOBE” such as “TAJ MAHAL”.
71. Petitioner is aware that the **Taj Mahal** at Agra, **India** is considered one of the wonders of the World.
72. Petitioner is aware that The Trump Organization is located on **Fifth Avenue** in New York, NY, United States (geographically referred to as “AMERICA” in the mark at issue).
73. Petitioner is aware that during the 2016 Presidential campaign, Donald Trump stated, “I could stand in the middle of **Fifth Avenue** and shoot somebody, and I wouldn't lose any voters, okay? It's like, incredible.”.
74. Petitioner is aware that a synonym of incredible is GREAT.
75. Petitioner is aware that when Mr. Trump spoke of being able to shoot somebody with no consequences, legal or otherwise, Mr. Trump was standing in front of the United States (geographically referred to as “AMERICA” in the mark at issue) flag.
76. Petitioner was highly offended by Mr. Trump’s statement in front of the flag of the United States of AMERICA as Petitioner believes Mr. Trump either doesn’t understand or honor or respect the sacrifices of members of the United States of AMERICA military that have returned to the United States of AMERICA in caskets draped in the flag of the United States of AMERICA after serving their country, the UNITED STATES OF AMERICA,

including Captain Humayun Khan, when his flag-draped casket was returned to his Muslim AMERICAN Gold Star parents in the UNITED STATES OF AMERICA.

77. Petitioner was highly offended that Mr. Trump either doesn't understand or honor or respect the fact that not only can members of the military be shot to death while serving their country, they can also be killed by bombs or they can lose limbs like my Illinois State Senator, Tammy Duckworth, did while serving **her** country.
78. Petitioner is aware that when Mr. Trump spoke of being able to shoot somebody with no consequences, legal or otherwise, the mark at issue was also displayed in connection with goods and services contained in the registration issued by the United States (geographically referred to as "AMERICA" in the mark at issue) Patent and Trademark Office.
79. Petitioner was highly offended that the mark at issue, in addition to the flag of the United States of AMERICA, were both displayed when Donald Trump declared that he was *above the law*, as any other individual who shoots another individual in the United States of AMERICA would face legal consequences.
80. Petitioner is aware that Donald Trump announced his candidacy for President of the United States (geographically referred to as "AMERICA" in the mark at issue) on **June 16, 2015** at "TRUMP TOWER" on "FIFTH AVENUE", at 725 Fifth Avenue, New York, New York 10022, where Donald J. Trump, The Trump Organization, DTTM Operations LLC, and Donald J. Trump for President, Inc. either reside or are located.
81. Petitioner is aware that Donald J. Trump for President, Inc., a Virginia Not For Profit was formed on **June 17, 2015**.
82. Petitioner is aware that FEC Form 1 Statement of Organization for Donald J. Trump for President, Inc., 725 Fifth Avenue, NY, NY 10022, was filed by Timothy Jost, Treasurer, c/o Red Curve Solutions, on **June 29, 2015**.
83. Petitioner is aware that Donald J. Trump filed OGE Form 278e with the United States

Office of Government Ethics for the Position of President of the United States of America
on **July 15, 2015**.

84. Petitioner is aware that the 92-page OGE Form 278e, which Donald J. Trump personally executed, did not disclose Intellectual Property owned by Donald J. Trump, specifically Mr. Trump's domestic and foreign trademark portfolio of trademark applications/registrations, license agreements, and associated revenue generated by same.
85. Petitioner is aware that by not disclosing "*hundreds*" or "*thousands*" of pending domestic and foreign trademark applications or issued registrations, license agreements, and the associated revenue generated by same, Mr. Trump committed fraud either knowingly or under advice of counsel against the US Office of Government Ethics.
86. Petitioner is aware that the US Office of Government Ethics cleared conflicts and signed off on Mr. Trump's July 15, 2015 OGE Form 278e on **July 22, 2015**.
87. Petitioner is aware that the US Office of Government Ethics may not have cleared conflicts and signed off on Mr. Trump's July 15, 2015 OGE Form 278e if Mr. Trump had followed the law as he was required to list ALL Intellectual Property, which includes not only copyrights for books, but more importantly the "*hundreds*" or "*thousands*" of trademarks owned by Mr. Trump, specifically the missing foreign applications/registrations and license agreements, which would have disclosed potential conflicts of interest with either foreign governments or heads of state where Mr. Trump has pending applications that had previously been rejected and for which Mr. Trump had been litigating for a decade, which now that they have been approved for registration after Mr. Trump was elected President, could be considered a breach of the emoluments clause of the Constitution of the United States of AMERICA.
88. Petitioner is aware that foreign trademark licenses are either required or suggested to be recorded with the local Intellectual Property Office so if Mr. Trump has any foreign

licenses that are recorded in those specific countries/jurisdictions, he could have been in breach of the emoluments clause the day he was inaugurated as President of the United States of AMERICA.

89. Petitioner is aware that Donald J. Trump, DTTM Operations LLC, and Donald J. Trump for President, Inc. have claimed to own rights to the mark at issue even though the mark has been in the public domain since **1980**.
90. Petitioner is aware that Meri Barnes, an individual, a United States citizen and Bobby Estell, an individual, a United States citizen, filed a trademark application for the exact mark as the mark at issue on **August 5, 2015**.
91. Petitioner is aware that Donald J. Trump, an individual, a United States citizen, personally executed a federal Declaration on **August 12, 2015**, under penalty of fines or **imprisonment**, claiming ownership rights of the mark at issue even though the mark has been in the public domain since 1980.
92. Petitioner is aware that Donald J. Trump, an individual, a United States citizen, filed a trademark application for the mark at issue on **August 13, 2015** even though the mark has been in the public domain since 1980.
93. Petitioner is aware that the United States Patent and Trademark Office (“USPTO”) issued an Official Action to Donald J. Trump on **October 14, 2015**, citing US Trademark Application No. 86716074 in the name of Meri Barnes and Bobby Estell filed **August 5, 2015** as a potential bar to registration of his application.
94. Petitioner is aware that once a trademark application is filed with the USPTO and it has been accepted by the USPTO, meaning the application has met the minimum filing requirements, it normally takes 3 months to be assigned to an Examining Attorney.
95. Petitioner is aware that once a trademark application is uploaded and made available to the public on the website of the USPTO, the default status shows, “*New application will be*

assigned to an examining attorney approximately 3 months after filing date.”

96. Petitioner is aware of this fact as **she** has over 30 years professional experience filing trademark applications with the USPTO for both domestic and foreign clients.
97. Petitioner, as the owner of a United States trademark application that was published in the Official Gazette of March 7, 2017, can confirm that **her** trademark application was assigned to an Examining Attorney a little over 3 months after its filing date.
98. Petitioner is aware that Donald J. Trump has received expedited processing of his trademark applications from the USPTO as evidenced by the expedited processing of the application for the mark at issue.
99. Petitioner is aware that Donald J. Trump and/or DTTM Operations LLC and/or Donald J. Trump for President, Inc. have all received expedited processing of their trademark applications from the USPTO, specifically applications, which incorporate “AMERICA” or “AMERICAN” in the mark, such as “KEEP AMERICA GREAT” and “AMERICAN IDEA”.
100. Petitioner, an individual, a United States citizen, and a **female** United States trademark owner, is being damaged by the USPTO and discriminated against by the United States government, as **she** paid the same fee per class for **her** application that Mr. Trump paid per class for his applications, but his applications consistently receive expedited processing, especially those that contain “AMERICA” in the mark, such as the mark at issue.
101. Petitioner is aware that the United States (geographically referred to as “AMERICA” in the mark at issue) government has a history of denying **women** the same Constitutional rights afforded to men, such as the right to vote, in an attempt to control commerce.
102. Petitioner is aware that employers in the United States (geographically referred to as “AMERICA” in the mark at issue) have a long history of discriminating and retaliating against **women**, sexually assaulting and harassing **women**, and refusing to pay equal wages

for equal work to **women** in an attempt to control commerce, which Petitioner has experienced and has been damaged by throughout her professional career.

103. Petitioner is aware that by giving Mr. Trump priority over Petitioner at the USPTO, the USPTO and the United States government have declared and confirmed that **her** Intellectual Property, Civil, and Human rights are not as important as those of Donald J. Trump, either as a fellow United States citizen and United States trademark owner, or as President of the United States of AMERICA (geographically referred to as “AMERICA” in the mark at issue).
104. Petitioner is aware that even when other applicants have priority filing and use dates, the applications of Donald J. Trump and/or DTTM Operations LLC and/or Donald J. Trump for President, Inc., Trump’s applications are given priority by the USPTO.
105. Petitioner is aware of an application filed by Andreas Mueller on **July 6, 2016** for the “KEEP AMERICA GREAT” mark for sunglasses in Class 09, and for t-shirts, tank tops and hats in Class 25, with a date of first use of **June 18, 2016**, which the USPTO approved for publication on **October 15, 2016**.
106. After Mr. Trump became President-elect, the USPTO had the Mueller application withdrawn from publication and the previous allowance was withdrawn.
107. Petitioner is aware that on **January 18, 2017**, two days before he was to be inaugurated as President of the United States of AMERICA, Mr. Trump “doubled down” on his false declaration (for which, if he is not *above the law*, **We the People** can fine him or **We the People** can “LOCK HIM UP” in a federal prison) that he is the rightful owner of the mark at issue, even though the mark has been in the public domain since 1980.
108. Petitioner is aware of the January 18, 2017 exclusive interview Mr. Trump granted to Karen Tumulty of the Washington Post, a member of the press, which Mr. Trump has referred to as either “*the enemy of the America people*” or “*fake news*” to discuss *his campaign*

slogan, MAKE AMERICA GREAT AGAIN and how he thought it up, even though it has been in the public domain since Ronald Reagan first used it as his campaign slogan in 1980.

109. Petitioner is aware that the interview was recorded.

110. Petitioner is aware that the recorded interview is in the public domain.

111. Petitioner is aware that during the interview, Mr. Trump stated, *“I was sitting at my desk, where I am right now, and I said, ‘Make America Great Again.’ It’s turned out to be — now it was not Ronald Reagan. You know, everyone said, ‘Oh it was Ronald Reagan’s [slogan].’ And then they found out they were wrong. His was — and I didn’t know this at the time, I found it out a year ago. I found it out a year after I — his was, ‘Let’s Make America Great’. But he didn’t trademark it.”*

112. Petitioner is aware that Ronald Reagan used the exact mark “MAKE AMERICA GREAT AGAIN” during his 1980 campaign for similar goods/services as the mark at issue and *“NBC News did some digging and found that Reagan **DID**, in fact, say “make America great again” multiple times during his 1980 campaign, including during his Republican National Convention address.” “He, too, used it as a slogan on campaign merchandise.”*

113. Petitioner, as a trademark, brand, and marketing communications professional with over 30 years of professional experience, knows it is standard practice to conduct trademark clearance searches before launching a new brand, trademark or slogan as there are serious legal, financial, and in Mr. Trump’s case, ethical and criminal implications for executing a federal Declaration that has been proven to contain false statements as the mark at issue was clearly in the public domain since 1980.

114. Petitioner is aware that a simple Internet search by conducted by Mr. Trump, his paralegals/attorneys at The Trump Organization, his outside counsel who filed the

trademark application for the mark at issue or by the USPTO would have confirmed the fact that the mark at issue was in the public domain since 1980, and therefore not subject to trademark protection.

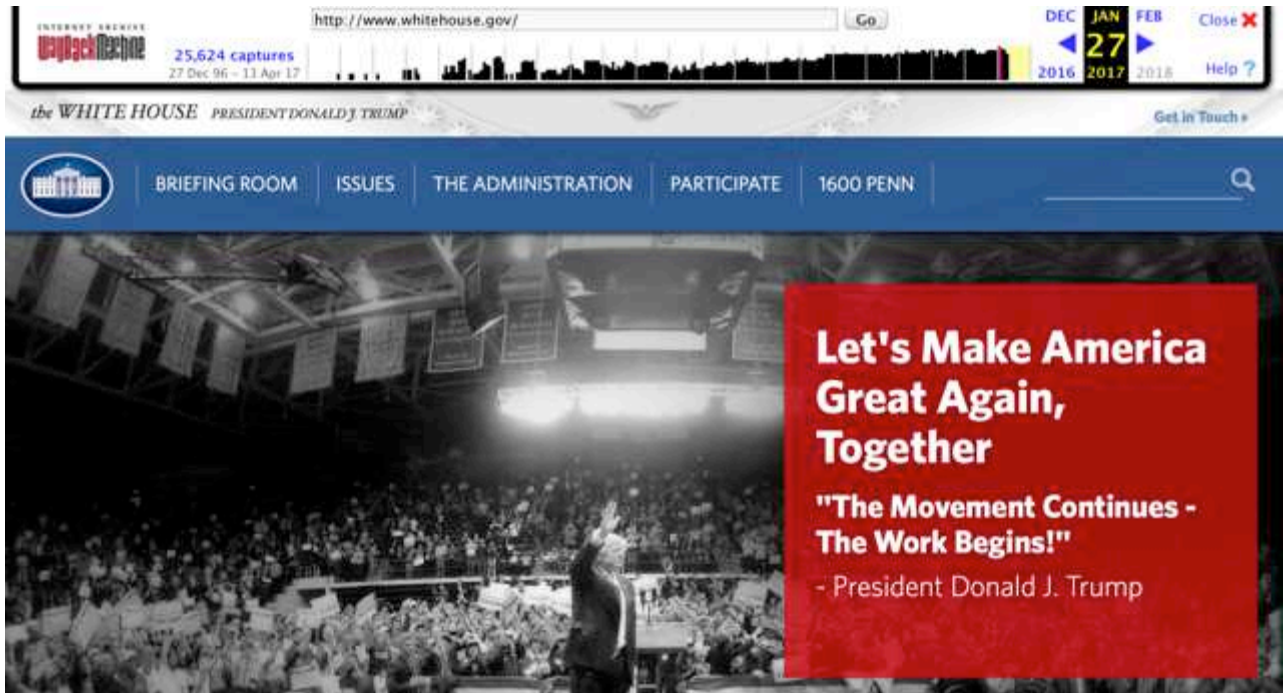
115. Petitioner is aware that Examining Attorneys at the USPTO regularly conduct Internet searches before allowing trademark applications.

116. Petitioner is aware of an Office Action issued on March 14, 2017 by an Examining Attorney of the United States (geographically referred to as “AMERICA” in the mark at issue) Patent and Trademark Office, which states, *“In this case, **Donald John Trump** is an **American businessman**, television personality, politician, and the **45th President of the United States**. Elected on November 8, 2016, **Trump** won the general election on November 8, 2016 and assumed office on January 20, 2017. He is the chairman and **president of The Trump Organization**, and the founder of Trump Entertainment Resorts. On June 16, 2015, Trump formally announced his candidacy for president of the United States in the 2016 election, seeking the nomination of the Republican Party. For these reasons, he is the subject of frequent media attention and his name is often in the public view. **Please see the attached sampling of items retrieved via an Internet search.**”*

117. Petitioner thanks the Examining Attorney at the USPTO for declaring and confirming the fact that Donald Trump, whether as President of The Trump Organization or President of the United States of AMERICA, is *above the law* and that his Intellectual Property, Civil, and Human rights as a man, a businessman, and a trademark owner trump my Intellectual Property, Civil, and Human rights as a **woman**, a **businesswoman**, and a trademark owner.

118. Petitioner thanks the Examining Attorney at the USPTO for declaring and confirming the conflict of interest between Petitioner, citizens of the United States of AMERICA and Mr. Trump, whether as President of The Trump Organization or President of the United States of AMERICA, as the mark at issue was being used on the United States government’s

homepage of the website for the White House, also known as the “*People’s House*” while the mark is being defended in this Cancellation proceeding by attorneys and employees of The Trump Organization:



119. Petitioner is aware that the reputation of AMERICA is diluted when the mark at issue is being used on the “White House”, which Michelle Obama rebranded as the “People’s House”, website in order to control commerce and generate revenue for Donald J. Trump, DTTM Operations LLC, Donald J. Trump for President, Inc., the Republican National Committee, the GOP, the Trump Organization, and Friends and Family of Donald J. Trump.

120. Petitioner is aware that while campaigning, Mr. Trump wore a cap with the mark at issue embroidered on it and during campaign speeches, while wearing the mark at issue on a cap on his head, Mr. Trump has stated that China is “**raping**” us/the United States/our country/AMERICA in connection with a trade deficit.

121. Petitioner, as a female who was almost raped, can’t even find the words to describe the damage Mr. Trump causes every time he opens his ignorant mouth and utters a word that is

so incredibly damaging and offensive to any human being that has ever been sexually assaulted, especially while wearing a “MAKE AMERICA GREAT AGAIN” branded cap that he and the Republican National Committee/GOP used to raise funds to get him into the “People’s House”.

122. Petitioner is aware that Neil Gorsuch isn’t the first Republican Supreme Court Justice not to be confirmed by at least 60 votes.

123. Petitioner is aware that the first Republican Supreme Court Justice who was confirmed by a 52-48 vote was Clarence Thomas in 1991.

124. Petitioner is aware that Anita Hill accused Clarence Thomas of sexual harassment.

125. Petitioner is aware of how Ms. Hill was treated by United States Senators during the confirmation hearings.

126. Petitioner is aware that several women accused Donald Trump of sexual assault and/or sexual harassment during the Presidential campaign.

127. Petitioner is aware of how those women were treated by Donald Trump.

128. Petitioner is aware of the Access Hollywood tape in which Mr. Trump stated,

129. Petitioner is aware that Mr. Trump still won the election.

130. Petitioner is aware that several women had accused Roger Ailes, formerly of Fox News, a friend of Donald Trump, of sexual assault and/or sexual harassment.

131. Petitioner is aware that several women have accused Bill O’Reilly of Fox News, a friend of Donald Trump, of sexual assault and/or sexual harassment.

132. Petitioner is aware that Mr. Trump, on the infamous Access Hollywood video, stated the following: *“I moved on her like a bitch, but I couldn’t get there. And she was married.” “I did try and fuck her. She was married.” “Just kiss. I don’t even wait. And when you’re a star, they let you do it. You can do anything.” “Grab them by the pussy. You can do anything.”*

133. Petitioner is aware that in a statement in response, Mr. Trump stated, *“This was locker room banter, a private conversation that took place many years ago. Bill Clinton has said far worse to me on the golf course - not even close. I apologize if anyone was offended.”*
134. Petitioner, as a female who has had to deal with men like Donald Trump, Roger Ailes and Bill O’Reilly throughout her professional career, is disgusted by the unbelievably ignorant and offensive verbal and written responses from Mr. Trump not only in connection with the accusations lodged against him, but also his responses in support of his friends, Roger Ailes and Bill O’Reilly, both during the campaign and now that he is President of the United States of AMERICA.
135. Petitioner is aware that the mark at issue is not being policed in the same manner as “TRUMP” trademarks, copyrights, domain names and URLs.
136. Petitioner is aware that the mark at issue is regularly used to threaten, intimidate, discriminate, retaliate, disparage, and defame women, both verbally and in writing.
137. Petitioner has been on the receiving end of such actions by male Trump supporters.
138. Petitioner is not aware of any cease and desist letters or legal action of any kind, being taken by Donald Trump and/or DTTM Operations LLC and/or The Trump Organization (as they are defending this Cancellation proceeding) or the Republican National Committee/GOP as they are continuing to benefit both financially and politically from the mark at issue, to protect women of the United States of AMERICA from these threats, intimidation, discrimination, retaliation, disparagement and defamation.
139. Petitioner is aware that the mark at issue is the subject of Joint Fundraising Agreements between Donald J. Trump and/or DTTM Operations LLC and/or Donald J. Trump for President, Inc. and/or The Trump Organization and the Republican National Committee and/or the GOP.
140. Petitioner was aware that either Donald J. Trump committed fraud against the USPTO

when he executed the **August 12, 2015** declaration that accompanied the application for the mark at issue or the USPTO issued a registration for the mark at issue in error as the mark has been in the public domain since 1980.

141. Petitioner is aware that either Donald J. Trump committed fraud against the US Office of Government Ethics either knowingly or under advice of counsel when he executed and filed his OGE278e Form on **July 15, 2015**.

142. Petitioner is the owner of US Serial Number 87182399 for the mark “CONSCIOUS JUSTICE” for non-profit legal services, which was published in the Official Gazette on March 7, 2017.

143. Petitioner is the CEO and Executive Director of Conscious Justice, which is a non-profit that coordinates legal services for other non-profits, foundations and various other civil or human rights organizations or causes to try to help people to choose to advocate instead of adjudicate. To choose kindness, love, compassion and empathy for humanity over personal ego, fear, anger, hate, violence, greed and apathy. What law firms offer pro bono services? For those that do, for what practice areas do they offer these services? For children or the incarcerated? For minority/female owned businesses? If not, do they offer discounts and/or flat fee or contingency fee billing arrangements? How are conflicts of interest handled at international corporations, law firms, by the President of the US, or by candidates for the office of President of the US? Are candidates for President of the US required to report any pending or past litigation matters on their OGE Form 278e so the US Office of Government Ethics can weigh the ethical (legal and financial) ramifications before they clear conflicts for a candidate for the office of President of the US?

144. Petitioner resigned from the Chicago office of “*the largest law firm in the world*” 大成 Dentons on **August 15, 2015** before Dentons officially merged with Dacheng “*the largest law firm in China*”.

145. Petitioner did not agree with the strategic direction the firm was taking as Petitioner was ethically and morally opposed to China's **one child policy**, which was introduced in 1979 and began to be formally phased out in 2015, which resulted in sex-selective abortions of millions of **female** fetuses, and the abandonment, and killing, of baby **girls**.
146. The Global Chairman of 大成 Dentons is Joe Andrew. According to Mr. Andrew's bio on the 大成 Dentons website, *"In January 1999, while Joe was serving as the Indiana state Democratic chair, President Bill Clinton, Vice President Al Gore and the Democratic leadership in the US Congress asked Joe to chair the DNC."*
147. Petitioner was aware that during the 2008 Presidential campaign, former national Democratic Party chairman Joe Andrew announced at a news conference in Indianapolis on May 1, 2008, that he had switched his allegiance from Hillary Clinton to Barack Obama.
148. Petitioner had heard gossip that the real reason Mr. Andrew switched his allegiance was *"because it's a lot easier to **control** a black man than a woman"* and the male practice group head who laughingly repeated it to Petitioner years later in 2015 may have just been repeating *"locker room talk"* that wasn't supposed to be repeated to a **woman** who could find it **"offensive"** and/or *"who couldn't take a joke"* or *"who was too emotional"* or *"who was too politically correct"* to find the statement, when used in connection with candidates for President of the United States ("AMERICA"), not only offensive, but deeply disturbing especially in light of the firm's decision to merge with and rebrand itself as a *"China First"* law firm:

The logo for Dentons, featuring the Chinese characters "大成" (Dacheng) in white on a purple background, followed by the word "DENTONS" in white capital letters on a purple background. The entire logo is contained within a purple arrow-shaped banner pointing to the right.

大成 DENTONS

149. Petitioner was aware that the firm was founded in Chicago in 1906 and the name of the firm was Sonnenschein Nath & Rosenthal LLP until 2010 when the global mergers and rebranding commenced under the leadership and strategic direction of Mr. Andrew.
150. Petitioner was aware that Sonnenschein was a highly respected Chicago law firm serving businesses, non-profits and individuals in the United States (“AMERICA”) and Europe before the global mergers and rebranding started.
151. Petitioner was aware that Newt Gingrich, former Republican US Speaker of the House of Representatives, US Presidential candidate, commentator and author joined 大成 Dentons on **May 20, 2015**.
152. Petitioner was aware that Mr. Gingrich had met with and counseled Donald Trump on his Presidential campaign before joining 大成 Dentons as Mr. Gingrich is a paying member of one of Mr. Trump’s “TRUMP” branded golf clubs located in the United States (“AMERICA”).
153. Petitioner was aware that Mr. Gingrich had co-authored a book in 2010 entitled, *“Rendezvous with Destiny: Ronald Reagan and the Campaign That Changed AMERICA”* and that the mark at issue was used in the book in connection with Presidential campaign services, up to and including, a campaign slogan that was recited by Ronald Reagan at the end of television commercials, which aired during the 1980 Presidential campaign:

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Rendezvous with Destiny: Ronald Reagan and the Campaign That Changed America

By Craig Shirley

rendezvous with destiny

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Result 1 of 3 in this book for rendezvous with destiny MAKE AMERICA GREAT

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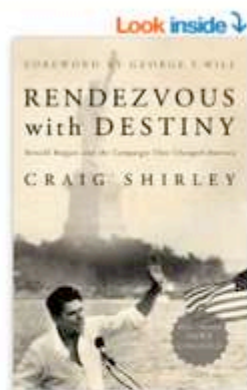
the videotape, Tar Heel voters were drawn to the Reagan persona and message.⁴¹

In the early stages of the 1980 campaign, Reagan's advertising team had failed to appreciate this lesson. Before Jeff Bell rejoined the Reagan family, the campaign's television spots had been mostly a disaster. The old spots, produced by a Madison Avenue firm, had Reagan talking about inflation to schoolchildren, telling them it "could cost Joan and Billy here seventy-five thousand dollars to go to college."⁴²

Bell and the new adman he had brought into the Reagan fold, Elliott Curson, worked on new television spots. The new commercials were simple and to-the-point. They opened with Reagan talking into the camera, saying, "This is a great country, but it's not being run like a great country," and ended with the slogan "Let's Make America Great Again."⁴³ The reaction among the elites was decidedly mixed; CBS analyst Jeff Greenfield was one of the few who recognized the power of the commercials, saying, "Reagan ran the least elaborate, least gimmicked-up, most issue-oriented ads

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Rendezvous with Destiny and over one million other books are available for Amazon Kindle. [Learn more](#)



[See all 2 images](#)

Rendezvous with Destiny: Ronald Reagan and the Campaign That Changed America Paperback – January 5, 2011

by Craig Shirley (Author), Newt Gingrich (Afterword), & 1 more
 ★★★★★ 59 customer reviews

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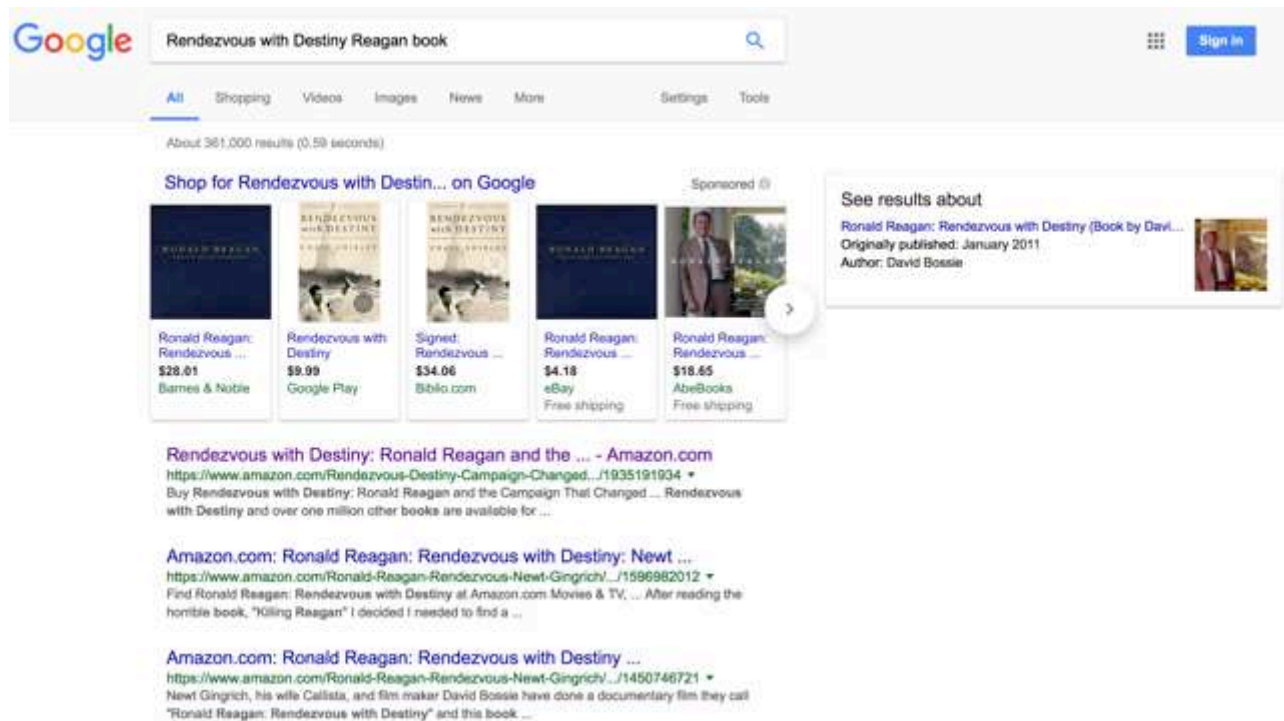
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154. Petitioner was aware that different versions of the book (hardback, paperback, electronic, autographed), which incorporate the mark at issue, are still being sold in interstate commerce and can be shipped to the residence of Petitioner in the United States (“AMERICA”) through various retail outlets such as Barnes & Noble, Google Play, Biblio.com, eBay, Abe Books, Thrift Books, and GingrichProductions.com (as shown above and below):



155. Petitioner is aware that on the Gingrich Productions website where you can purchase a copy of the book, which has been autographed by Newt and Callista Gingrich, <http://store.gingrichproductions.com/ronald-reagan-rendezvous-with-destiny-autographed> you can also purchase the documentary film by Citizens United Productions.

156. Petitioner is aware that David N. Bossie is President and CEO of Citizens United.

157. Petitioner is aware that David Bossie was Deputy Campaign Manager of the Trump campaign.

158. Petitioner is aware that David Bossie is also listed as an author on the cover of the book, along with Newt and Callista Gingrich.

159. Petitioner is aware that Donald Trump has claimed to be friends with David Bossie for years and that David Bossie “*has built a career out of smearing the Clintons, including being condemned by then-President George H.W. Bush for “filthy campaign tactics,” being forced to resign from his job in Congress after releasing selectively edited transcripts and videos to the press in order to smear the Clintons, and fabricating a story about a young woman committing suicide to attack former President Bill Clinton.*”
160. Petitioner is aware that in 1997, David Bossie and a retired Washington, DC police officer had harassed the family and friends of a woman who had committed suicide in order to try to extract information they felt could take down Bill and Hillary Clinton.

The screenshot shows the Gingrich Productions website. The header includes navigation links: 'Gift Certificates', 'My Account', 'Sign in or Create an account', 'GingrichProductions.com', 'WISH LISTS', 'VIEW CART (0) \$0.00 USD', and 'CHECKOUT'. A search bar is located on the right. The main navigation bar lists 'BOOKS', 'AUTOGRAPHED BOOKS', 'DVDs', 'COLLECTIONS', and 'AUDIO'. The breadcrumb trail reads: 'HOME > AUTOGRAPHED BOOKS > RONALD REAGAN: RENDEZVOUS WITH DESTINY - AUTOGRAPHED'. The product page features a large image of the book cover, which shows President Reagan in a suit. The title 'RONALD REAGAN: RENDEZVOUS WITH DESTINY - AUTOGRAPHED' is prominently displayed. Below the title, it says 'Newt and Callista Gingrich', '\$29.99', '\$14.99', and '(YOU SAVE \$15.00)'. A 'PRODUCT DESCRIPTION' section follows, stating: 'This copy of *Ronald Reagan: Rendezvous with Destiny* is autographed by Newt and Callista Gingrich. 2011 marked the 100th birthday of President Reagan, and this unique photographic collection, inspired by the documentary film, *Ronald Reagan: Rendezvous with Destiny*, honors the life and legacy of our nation's 40th President. Throughout the many chapters of his life, Reagan never failed to display the character, integrity, and optimism that helped him become one of the greatest leaders in modern history. Thanks to Ronald Reagan, there is indeed a bright future ahead for America.'

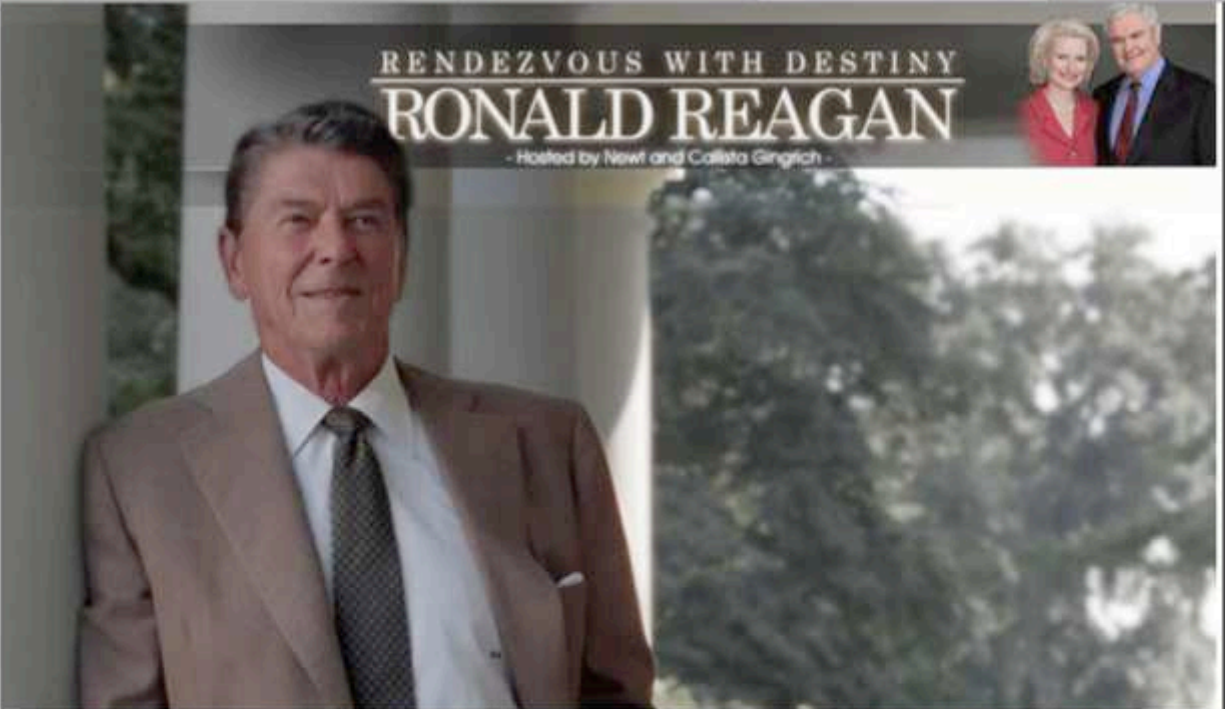


161. Petitioner is aware that after she was contacted by Alan Garten, Executive Vice President and General Counsel of The Trump Organization after she brought her concerns about fraud committed by Donald Trump against the USPTO and the US Office of Government Ethics to his attention so that he could resolve the issues, she was notified by several of her neighbors, including the President of the Association where Petitioner resides, and told that her home was being watched by a man sitting in a parked vehicle in front of Petitioner's home.

162. Petitioner was told by her female neighbor, who lives alone, as does Petitioner, that she was startled by a man that had driven onto our mutual driveway as the man got out of his vehicle and started taking pictures of Petitioner's home and when he started walking towards Petitioner's front door, he ran into Petitioner's neighbor and when she was startled, he told her not to worry, but the incident frightened her so much that she asked Petitioner to

file a police report after she gave Petitioner a description of the man and the vehicle he drove onto our private driveway, which Petitioner did.

163. Petitioner subsequently saw a vehicle with a male driver that matched the descriptions given by her neighbor about to pull into the driveway, but the man saw Petitioner in the window so the man threw the vehicle into reverse and sped backwards around the corner, which is an incredibly reckless and dangerous thing to do as there are no sidewalks and there are always people and children walking on the street.



The screenshot shows a shopping cart interface. At the top, there is a banner for the book "RENDEZVOUS WITH DESTINY RONALD REAGAN" by Newt and Colleita Gingrich. Below the banner is a large image of Ronald Reagan. The shopping cart table lists 10 copies of the book at \$29.99 each, totaling \$299.90. The subtotal is \$299.90, shipping and handling is \$4.00, and the total is \$303.90. There are buttons for "UPDATE" and "DELETE" for each item, and a "Checkout" button at the bottom.

Item Description	Qty	Price	Total	
Ronald Reagan: Rendezvous with Destiny Book	10	\$29.99	\$299.90	UPDATE
				DELETE
		Sub Total: \$299.90		
		S&H: \$4.00		
		Total: \$303.90		

Checkout
or

164. Petitioner filed another police report.

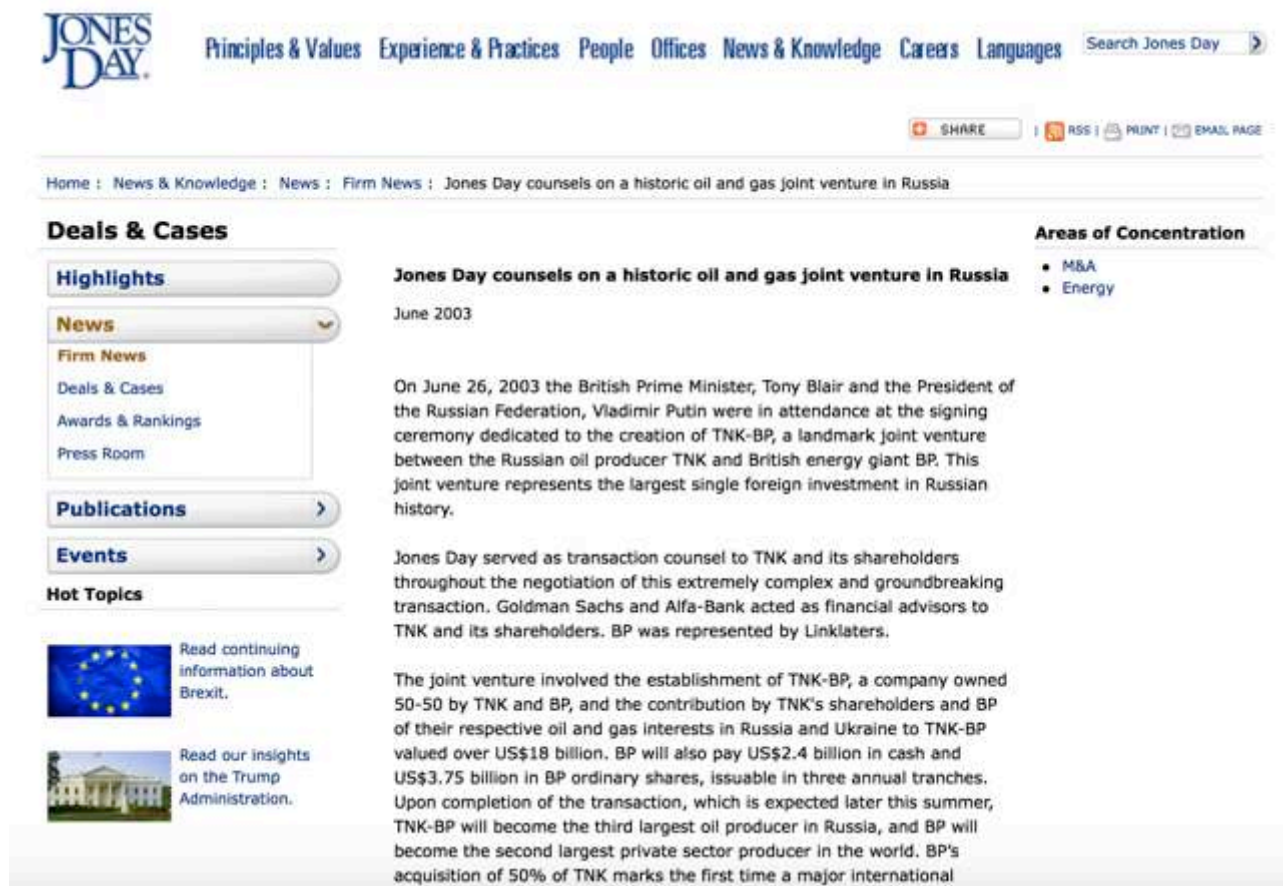
165. Petitioner has lived in her home in a peaceful neighborhood for over 15 years and has never experienced anything like this before.

166. Petitioner is quite upset that her neighbors have been made to feel fear in their neighborhood just because Petitioner is trying to do the right thing.

167. Petitioner was aware that Mr. Gingrich and Mr. Trump met a couple of times before and during Mr. Trump's campaign, including a meeting at Jones Day.

168. Petitioner was previously employed by Jones Day as a trademark paralegal.

169. Petitioner was aware of a 2003 historic oil and gas joint venture in Russia, where Tony Blair, the British Prime Minister and Vladimir Putin were in attendance at the signing:



The screenshot shows the Jones Day website. The header includes the Jones Day logo and navigation links: Principles & Values, Experience & Practices, People, Offices, News & Knowledge, Careers, Languages, and a search bar. Below the header, there are social media sharing options (SHARE, RSS, PRINT, EMAIL PAGE). The main content area is titled 'Deals & Cases' and features a sidebar with 'Highlights', 'News', 'Firm News', 'Deals & Cases', 'Awards & Rankings', 'Press Room', 'Publications', and 'Events'. The main article is titled 'Jones Day counsels on a historic oil and gas joint venture in Russia' and is dated June 2003. The article text reads: 'On June 26, 2003 the British Prime Minister, Tony Blair and the President of the Russian Federation, Vladimir Putin were in attendance at the signing ceremony dedicated to the creation of TNK-BP, a landmark joint venture between the Russian oil producer TNK and British energy giant BP. This joint venture represents the largest single foreign investment in Russian history. Jones Day served as transaction counsel to TNK and its shareholders throughout the negotiation of this extremely complex and groundbreaking transaction. Goldman Sachs and Alfa-Bank acted as financial advisors to TNK and its shareholders. BP was represented by Linklaters. The joint venture involved the establishment of TNK-BP, a company owned 50-50 by TNK and BP, and the contribution by TNK's shareholders and BP of their respective oil and gas interests in Russia and Ukraine to TNK-BP valued over US\$18 billion. BP will also pay US\$2.4 billion in cash and US\$3.75 billion in BP ordinary shares, issuable in three annual tranches. Upon completion of the transaction, which is expected later this summer, TNK-BP will become the third largest oil producer in Russia, and BP will become the second largest private sector producer in the world. BP's acquisition of 50% of TNK marks the first time a major international

170. Petitioner was aware that Jones Day Cleveland opened a Russia office in 2004.

171. Petitioner was aware that the 2016 Republican National Convention was held in Cleveland.

172. Petitioner was aware that the meetings with the Russian Ambassador and members of the Trump campaign were in Cleveland.

173. Petitioner was aware that Jones Day hosted meetings with Donald Trump and Paul

Manafort during the campaign.

174. Petitioner was aware that Wilbur Ross is a client of Jones Day.

175. Petitioner is aware that Jones Day Russia clients include Rosneft, Alpha Group, and


Letterone:

The screenshot displays the Jones Day website profile for Vladimir Lechtman, a Partner in Moscow. The header includes the Jones Day logo and navigation links: Principles & Values, Experience & Practices, People, Offices, News & Knowledge, Careers, Languages, and a search bar. Below the header, the profile is organized into sections: Profile, Experience, and Publications. The Experience section is active, showing a list of projects. On the left, there is a portrait photo of Vladimir Lechtman, his title 'Partner-in-Charge Moscow', a 'VIEW VIDEO' button, and contact information for both Moscow and Washington offices. On the right, there are sections for 'AREAS OF FOCUS' (M&A, Joint Ventures & Strategic Alliances) and 'LANGUAGES' (English, Russian, with a link to view his biography in Russian).

JONES DAY Principles & Values Experience & Practices People Offices News & Knowledge Careers Languages Search Jones Day

Home : People : Vladimir Lechtman

Vladimir Lechtman
Partner


Partner-in-Charge Moscow
[VIEW VIDEO](#)

CONTACT
vlechtman@jonesday.com

Moscow
(T) +7.495.648.9200
(F) +7.495.648.9201

Washington
(T) +1.202.879.7673
(F) +1.202.626.1700

EDUCATION

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Lamb Weston forms Russian joint venture
Jones Day is advising ConAgra Foods, Inc. in connection with a €100 million joint venture between Lamb Weston/Meijer and Belaya Dacha to construct and operate the first of its kind potato processing plant in Russia to serve the rapidly growing Russian French fry market.

ABH Holdings attempts to sign deal to acquire Zuno Bank
Jones Day represented ABH Holdings S.A. on its attempted acquisition of Zuno Bank AG from Raiffeisen Bank International AG.

Letterone forms L1 Energy
Jones Day advised Letterone on the structuring and formation of L1 Energy, the structure for the Letterone oil and gas assets.

Alfa Group spins off telecoms assets into Letterone
Jones Day advised Alfa Group and Letterone on the spin off of Alfa Group's telecoms assets into Letterone, principally its 47.85 percent shareholding in VimpelCom, the world's sixth largest mobile network operator, and its 13.22 percent beneficial interest in Turkcell, the leading mobile operator in Turkey, including the buy-out of certain minorities in the Alfa Group's historic telecoms shareholding structure.

Alfa Group forms Letterone
Jones Day advised Alfa Group and Letterone in connection with the formation of Letterone, a \$30 billion investment structure for holding

AREAS OF FOCUS
M&A
Joint Ventures & Strategic Alliances

LANGUAGES
English, Russian
[View biography in Russian](#)

176. Petitioner was aware that Donald Trump hired Donald F. McGahn II of Jones Day as his campaign attorney.

177. Petitioner was aware that Donald Trump, The Trump Organization, the Eric Trump Foundation, and Jones Day had conflicts of interest with St. Jude Children's Research Hospital as the fundraising and awareness division of St. Jude is ALSAC, which is a US registered trademark, and the acronym for ALSAC is American Lebanese **Syrian** Associated Charities, and while Mr. Trump and The Trump Organization had attempted to trade off the good will of St. Jude, Mr. Trump was also saying that "Syrians would be the

downfall of civilization” and that he “could look into the eyes of a Syrian child and tell them they couldn’t come to this country.”

178. Petitioner had attempted to bring the plight of the Syrian children to Mr. Trump’s attention by advising Mr. Garten back on August 18, 2016, along with the issues with fraud committed by Mr. Trump (unless he committed the fraud under advice of counsel), and the issues with St. Jude as early as April 22, 2016:

From: Mary Pat Flynn marypat.flynn@icloud.com

Subject: Fwd: Your Voicemail Message of April 21, 2016

Date: August 18, 2016 at 1:01 PM

To: Alan Garten agarten@trumporg.com

Hi Alan,

I wanted to follow up with you regarding the below.

In light of the heartbreaking video footage of the Syrian child being pulled from rubble and placed in an ambulance today, Mr. Trump’s comments regarding Syrian children are again coming under fire:

<https://twitter.com/MaryPatFlynn1/status/766283889065287680>

The Trump Organization consists of more than Donald J. Trump, just as the United States consists of more than one human being.

As General Counsel to The Trump Organization, you need to make a choice.

I made my choice a year ago. I decided to leave Dentons US LLP (“the largest law firm in the world”) so I could focus more on helping humanity. While at Dentons, I was able to do pro bono trademark work for some amazing organizations, such as Global Citizen

<https://www.globalcitizen.org/en/> and New York Says Thank You <http://newyorksaysthankeyou.org>.

While at Dentons, I assisted New York Says Thank You with their trademarks STARS OF HOPE and LOVE IS STRONGER THAN HATE. If you’re not familiar, NYSTY was formed in 2003 after the terror attacks of September 11, 2001 at the suggestion of a 5-year-old boy...it’s being reported that the Syrian boy who was pulled out of the rubble is also 5 years old.

We know the power of what one 5-year-old boy was able to do as evidenced by all the wonderful work being done by NYSTY, not only in the US, but worldwide. That 5-year-old boy wanted to say THANK YOU to everyone from around the world that helped the people of New York after the devastating 9/11 attacks.

GRATITUDE, HOPE, LOVE...greed, fear, hate

As a human being, we all have the power of choice with every single intention/thought/word/act. At any given moment in time, choices are made and those choices come from either GRATITUDE, HOPE, LOVE or greed, fear, hate.

I choose GRATITUDE, HOPE, and LOVE for ALL of humanity.

What about the 5-year-old Syrian boy who was pulled out of the rubble?? Will that 5-year-old Syrian boy remember Mr. Trump’s comments about the Syrian people and specifically, Syrian children, or, will he remember ALSAC and all the wonderful work they’ve done to keep St. Jude Children’s Research Hospital open since 1957??

Will he start a wonderful organization like St. Jude/ALSAC, New York Says Thank You, Global Citizen, United Nations Foundation or will he join a terrorist group based on hateful rhetoric, dogma or doctrine??

Based on the Charities page on The Trump Organization website, it appears Eric and Ivanka support St. Jude Children’s Research Hospital/ALSAC and Girl Up/United Nations Foundation and their missions. It must pain them greatly to justify their father’s contradictory rhetoric.

What about you, Alan??

GRATITUDE, HOPE, LOVE...greed, fear, hate...it’s up to you.

Choose wisely...not only as General Counsel to The Trump Organization, but also as a human being.

Kind regards,

Mary Pat Flynn

Begin forwarded message:

From: Mary Pat Flynn <marypat.flynn@icloud.com>

Subject: Fwd: Your Voicemail Message of April 21, 2016

Date: May 30, 2016 at 7:11:05 AM CDT

To: Alan Garten <agarten@trumporg.com>

Hi Alan,

I wanted to follow up with you regarding my April 22, 2016 email below.

In addition to these issues, it also appears The Trump Organization and/or Donald J. Trump may either be engaging in false and/or misleading advertising, or defamation, slander and libel in regards to St. Jude Children’s Research Hospital and/or ALSAC.

According to www.charitynavigator.org, ALSAC (American Lebanese Syrian Associated Charities) was founded in 1957 and exists for the sole purpose of raising funds to support the operating and maintenance of St. Jude Children's Research Hospital. The mission of St. Jude Children's Research Hospital is to find cures for children with cancer and other catastrophic diseases through research and treatment. It is supported primarily by donations raised by ALSAC. Research efforts are directed at understanding the molecular, genetic and chemical bases of catastrophic diseases in children; identifying cures for such diseases; and promoting their prevention. Research is focused specifically on cancers, some acquired and inherited

immunodeficiencies, sickle cell disease, infectious diseases and genetic disorders.

Based on Mr. Trump's verbal and written statements in regards to the Syrian people, including Syrian children, either The Trump Organization and/or Donald J. Trump is attempting to trade on the goodwill of the St. Jude Children's Research Hospital brand and/or the ALSAC brand, or Donald J. Trump is guilty of defamation, slander and libel.

Again, as it is unclear whether you, The Trump Organization, outside counsel, or Donald J. Trump has knowledge or accountability regarding these issues, I welcome the opportunity to discuss this with you or your designated representative as I'm back in town as I was recently named to the Board of Directors of a wonderful non-profit organization that works to make a difference in various communities by raising funds to support other non-profit agencies and charities.

Kind regards,

Mary Pat Flynn

Begin forwarded message:

From: Mary Pat Flynn <marypat.flynn@icloud.com>

Subject: Re: Your Voicemail Message of April 21, 2016

Date: April 22, 2016 at 11:45:57 AM CDT

To: Alan Garten <agarten@trumporg.com>

Hi Alan,

As GC of The Trump Organization, you should have an in-house attorney or department head that has accountability for IP (Intellectual Property) and that person should report to you.

That has been my experience working in-house in both the law department and while I was heading up trademarks, false and/or misleading advertising, branding, and marketing communications for a Fortune 500 company. Positions I was appointed to by two different CEOs.

That has also been my experience working at some of the country's largest and most prestigious law firms (Dentons, Jones Day) protecting famous brands around the world for our high-profile paying and pro bono clients.

If that is not the case at The Trump Organization, the Lanham Act is also referred to as The Trademark Act of 1946.

If you are not familiar with it or if you don't have any employees at The Trump Organization that currently have accountability for IP (specifically trademarks), branding, false and/or misleading advertising, and marketing communications, you should rectify the situation as soon as possible.

In addition, when retaining outside counsel, you should also make sure they understand the Lanham Act and the associated financial and legal ramifications if trademark law is not their expertise.

If anyone can understand the importance, associated equity and goodwill of a brand, it should be Donald J. Trump.

As GC of The Trump Organization, you may or may not be aware if Donald J. Trump personally filled out his OGE 278(e) form or if you or other employees of The Trump Organization assisted him or if outside counsel (Jones Day) assisted him.

Based on due diligence I've been conducting, it appears there may be issues with fraud committed against the USPTO by Donald J.

Trump when he signed a Declaration for a trademark application for MAKE AMERICA GREAT AGAIN.

In addition, it appears there may be issues with fraud against the US Office of Government Ethics by Donald J. Trump as he was required to list his Intellectual Property, specifically all of his trademarks, on the OGE 278(e) form he signed on July 15, 2015.

As it is unclear whether Mr. Trump signed these documents under advice of counsel or not, I wanted to obtain more information before filing to cancel the MAKE AMERICA GREAT AGAIN registration or to notify the US Office of Government Ethics of the results of my research.

Our legal system is based on the assumption of innocence and I only deal with facts. I'm also incredibly ethical so I welcome the opportunity to discuss this with you or your designated representative in more detail when I get back in town.

Sent from my iPhone

On Apr 22, 2016, at 9:20 AM, Alan Garten <agarten@trumporg.com> wrote:

Hi Mary Pat,

I am General Counsel to The Trump Organization, but am not sure I understand the purpose of your call.

Please clarify why you are contacting us so I can direct you to the appropriate person.

Thank you.

Alan Garten

Executive Vice President and General Counsel

725 Fifth Avenue | New York, NY | 10022

p. 212.836.3203 | f. 212.980.3821

agarten@trumporg.com | trump.com

-----Original Message-----

From: Mary Pat Flynn [mailto:marypat.flynn@icloud.com]

Sent: Friday, April 22, 2016 10:11 AM

To: Alan Garten <agarten@trumporg.com>

Subject: Your Voicemail Message of April 21, 2016

Hi Alan,

I received your attached voicemail message yesterday.

Please advise if you are the proper individual to speak to regarding the Lanham Act, up to and including all pending and registered trademarks of record with the USPTO, specifically trademarks that were owned by Donald J. Trump, an individual, a US citizen, on July 15, 2015.

In addition, please advise if you are the proper individual to speak to regarding Donald J. Trump's OGE 278(e) form filed with the US Office of Government Ethics on July 15, 2015.

Please note I am traveling today, but I will be checking emails.

Kind regards,

Mary Pat Flynn

This e-mail message, and any attachments to it, are for the sole use of the intended recipients, and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution of this email message or its attachments is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company.

Finally, while the company uses virus protection, the recipient should check this email and any attachments for the presence of viruses.

The company accepts no liability for any damage caused by any virus transmitted by this email.

179. Petitioner has been a trademark paralegal and manager of branding and marketing communications with over 30 years experience working with trademarks, which includes every aspect of trademark selection, adoption, and maintenance, specifically, **trademark clearance searching**, prosecution of trademark applications, maintenance of trademark registrations, policing of trademarks, false and/or misleading advertising, licensing of trademarks, and brand management, both in-house and at boutique Intellectual Property and some of the largest international law firms in the world with responsibility for domestic and international trademark portfolios for clients such as American International Group, Inc. (AIG), Jim Beam Brands Co., Morgans Hotel Group (Morgans Group LLC), The Irvine Company LLC, Northern Trust Corporation, and Navistar International Corporation (formerly International Harvester Company).
180. Petitioner has also been responsible both in-house and at law firms for preparing, reviewing, implementing and enforcing brand identity standards, guidelines, processes, and procedures to ensure valuable intellectual property rights are not lost due to dilution, either by tarnishment or blurring, in addition to deceptiveness or disparagement.
181. Petitioner has also been responsible both in-house and at law firms for the review and approval of internal and external communications for proper trademark usage and to ensure compliance with Federal Trade Commission (FTC) guidelines regarding false and/or misleading advertising under the Lanham Act.
182. Petitioner has also been responsible both in-house and at law firms for conducting due diligence regarding ownership chain of title for domestic and international trademark prosecution and maintenance filings, and for corporate mergers and acquisitions.
183. Petitioner has also been responsible for conducting due diligence regarding the status of legal entities to ensure they are viable and in good standing.
184. Petitioner has extensive experience and knowledge regarding both domestic and

international trademark law, including China's "first to file" trademark policy.

185. Petitioner had knowledge of Donald J. Trump's United States ("AMERICA") and foreign trademark portfolio, including 114 United States ("AMERICA") applications/registrations, which were personally owned by Donald J. Trump, an individual, a United States ("AMERICA") citizen until January 25, 2016, including 4 for the **MAKE AMERICA GREAT AGAIN** mark at issue.
186. Petitioner was aware that regardless of her repeated attempts to bring all of the aforementioned issues to the attention of Patrice Jean, Alan Garten, Donald McGahn, and employees of the USPTO, up to and including Mary Boney Denison, the Commissioner of Trademarks, simply because it was the right thing to do, the issues never got resolved.
187. Petitioner was either ignored by Mr. Trump's attorneys or told there was nothing the USPTO could do if Respondent decided not to resolve issues, including the break in the chain of title of a trademark registration that should never have been issued as the mark was in the public domain since 1980.
188. Petitioner is aware that the USPTO removed the January 25, 2016 Assignment from the chain of title of the mark at issue and even after Petitioner filed FOIA requests, the USPTO has refused to follow standard practice in connection with the mark at issue.
189. Petitioner claims present or past membership in groups located in "AMERICA" ("Human Beings" and "United States Citizens" and "Tax-paying United States Citizens" and "Registered Voters" and "the Female gender" and "Women" and "Feminists" and "Women's March Chicago" and "Trump Taxes March Chicago" and "Indivisible" and "Global Citizen" and "The Nature Conservancy" and "World Wildlife Fund" and "New York Says Thank You" and "CREW/Citizens for Responsibility and Ethics in Washington" and "Project on Government Oversight" and "Take Care" and "League of Conservation Voters" and "Organizing for Action" and "Earthjustice" and "ONE" and "ACLU" and

“Southern Poverty Law Center” and “CARE” and “Education Votes” and “change.org” and “Owners of United States trademarks” and “Trademark Paralegals” and “Employees of law firms” and “Employees of corporations” and “Marketing Communications Professionals” and “Branding Professionals” and “False and/or Misleading Advertising Professionals” and “Antitrust Professionals” and ***“The International Trademark Association (INTA), which is the global association of trademark owners and professionals dedicated to supporting trademarks and related intellectual property in order to protect consumers and to promote fair and effective commerce.”***) that have and will continue to be damaged and offended both personally and professionally by registration of the mark as Donald J. Trump, an individual, a US citizen, in seeking registration of the mark, ***personally fraudulently executed a US federal Declaration under penalty of fines or imprisonment***, and the United States Patent and Trademark Office (“USPTO”) in issuing said registration, have set a dangerous legal, financial and ethical precedent in that no other candidate for President of the United States (“AMERICA”) has attempted to register, ***own*** and ***personally profit*** from not only the mark at issue, which was clearly in the public domain since 1980, but also from subsequent marks he has attempted to register and profit from, which contain “AMERICA” or “AMERICAN” and for which Mr. Trump has received preferential expedited processing.

190. The United States Government is an Equal Opportunity Employer. According to the Equal Employment Opportunity Commission website, ***“The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.”***

191. Petitioner, as a member of the female gender, has been sexually harassed throughout her professional career at the workplace. According to the Equal Employment Opportunity Commission website, *“It is unlawful to harass a person because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general.”*
192. Petitioner, as a member of a group known as women, find Donald J. Trump’s comments and attitude about women being sexually harassed in the workplace to be damaging to women in general, and to me personally, as it sets a dangerous precedent that suggests that Mr. Trump believes he is above the law. When asked if his daughter Ivanka were sexually harassed at the workplace, Mr. Trump responded, *“I would like to think she would find another career or find another company if that was the case.”*
193. Petitioner, as a member of a group known as women, has found herself in that position and can personally tell Mr. Trump how offensive she finds his comment.
194. Petitioner, as a member of a group known as women, find Mr. Trump’s public support, both during the campaign and after being sworn in as President of the United States (“AMERICA”) of other men who have been accused of sexual harassment at the workplace, namely, Roger Ailes and Bill O’Reilly of Fox News to be particularly damaging to women in general, and to Petitioner personally, as well as incredibly offensive not only to Petitioner, but to all law-abiding US citizens that do not sexually harass women at the workplace.
195. Petitioner, as a member of the female gender, has not received equal pay, job title or benefits as her male colleagues for comparable work throughout her professional career in

the United States of AMERICA, which has damaged Petitioner's bank account. Petitioner is also personally offended by this practice.

196. Petitioner would like to conclude her argument for standing by stating how incredibly offensive she finds it to have to prove that a tax-paying female citizen of the United States of AMERICA, has the right to take a stand and do her small part to try to help change the world for the better, starting with her country.

2. Grounds

a. Trademark Act § 2(a)

197. The allegations of paragraphs 1 to 196 are re-alleged and incorporated herein by reference.

198. Petitioner's right to privacy as a United States citizen has been violated as Petitioner's address and phone number are of public record and her home has been photographed and she and her neighbors have been intimidated.

199. Petitioner was ridiculed in an email communication authored by Alan Garten.

b. Dilution

200. The allegations of paragraphs 1 to 199 are re-alleged and incorporated herein by reference.

201. Petitioner has proven that the mark at issue was in the public domain and Donald Trump's attempt to capitalize on a phrase adopted by presidential candidate Ronald Reagan for his own presidential campaign as both a campaign slogan and mark for campaign products has caused dilution by blurring and by tarnishment.

c. Likelihood of Confusion

202. The allegations of paragraphs 1 to 201 are re-alleged and incorporated herein by reference.

203. Petitioner has proven that the mark at issue was in the public domain and was first used by Ronald Reagan in 1980 and Donald Trump used the exact campaign slogan and mark for

campaign products as Ronald Reagan.

d. Fraud

204. The allegations of paragraphs 1 to 203 are re-alleged and incorporated herein by reference.

205. Petitioner has proven that the mark at issue is in the public domain, which means Donald Trump had no legal right to attempt to claim trademark protection for the sole purpose of raising money for himself and the Republican National Committee/GOP and also attempting to stop others that have been using the mark in commerce throughout the years from 1980 to present date.

CONCLUSION

As Petitioner has proven that the mark at issue was in the public domain since 1980, Petitioner's Amended Petition for Cancellation should be granted.

Respectfully submitted,

Date: April 13, 2017

By: /s/ Mary P Flynn

Mary P Flynn

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing PETITIONER'S AMENDED PETITION FOR CANCELLATION is being served on April 13, 2017 by emailing said copy to:

Alan Garten, Esq.
c/o The Trump Organization
725 Fifth Avenue
New York, New York 10022
Email: agarten@trumporg.com
mmaron@trumporg.com
slysenko@trumporg.com
carce@trumporg.com
Telephone: (212) 836-3203

Dated: April 13, 2017
Palos Heights, Illinois

/s/ Mary P Flynn
Mary P Flynn